

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, AUGUST 10, 2004
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Certifying the 2003-2004 Local Development Report and its conformance with the State-mandated Congestion Management Program. (Resolution finding the City of Long Beach to be in conformance with the Congestion Management Program [CMP] and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089.) (Citywide)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude hearing;
Adopt resolution finding the City to be in conformance with the State-mandated Congestion Management Program and adopt the 2003-2004 Local Development Report of the Congestion Management Program; and
Request Director of Planning and Building to submit the report to the Metropolitan Transportation Authority.

2. DEPARTMENT: PUBLIC WORKS

SUBJECT: Appeal of Foreston Trends of the imposition of Transportation Improvement Fee for constructing an addition to an existing warehouse at 1483 Via Plata Street. (District 8)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, overrule the appeal and sustain the action of the Director of Planning and Building to impose and collect the Transportation Improvement Fee; or
Receive supporting documentation into the record, conclude the hearing, sustain the appeal, and overrule the action of the Director of Planning and Building to impose and collect the Transportation Improvement Fee.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (3 - 25)

3. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between July 29, 2004 and August 5, 2004.

4. INTENTIONALLY LEFT BLANK

5. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Second Amendment to Contract No. 27920 with Amer-I-Can Foundation for Social Change, Inc. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to extend the term of the contract through December 31, 2004, and add \$25,000 for a total contract amount of \$325,000.

6. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: First Amendment to Contract No. 28771 with State Department of Education for continued operation of Even Start Grant. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to extend term through September 30, 2004.

7. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Specifications No. PA-02104 and award contract to Unisource Corporation for the purchase of printing paper. (Citywide)

SUGGESTED ACTION:

Adopt specifications and award contract in the estimated annual amount of \$180,000 for a term of one year, with the option for two additional one-year periods.

Authorize amendments to exercise City's option to renew where noted and authorize City Manager to execute same.

8. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Specifications No. PA-01104 and award contracts to McCain Traffic Supply, Traffic Parts, Inc., and Lingo Industrial Electronics to furnish and deliver traffic signal parts and equipment. (Citywide)

SUGGESTED ACTION:

Adopt specifications and award contracts in the estimated annual amount of \$150,000 for term of one year, with the option for two additional one-year periods.

Authorize amendments to exercise City's option to renew where noted and authorize City Manager to execute same.

9. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Fifth Amendment to Agreement No. 27003 with Public Health Institute to develop and continue to implement a Strategic Community Health Plan. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to continue implementation of the Local Partnership Action Plan from August 1, 2004 to December 31, 2004.

10. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with California Children and Families Commission for the Healthy Children Ready to Succeed Program. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents for an amount not to exceed \$66,668 for a period of three months; and

Increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$66,668.

11. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with State Department of Health Services to provide Sexually Transmitted Disease (STD)/Human Immunodeficiency Virus (HIV) Prevention Training Center satellite site.

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents in an amount not to exceed \$177,051 for a three-year period; and

Increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$177,051 for the period from July 1, 2004 to June 30, 2007.

12. DEPARTMENT: LAW

SUBJECT: Lawsuit of Bertha Ocegueda and Maria Moreno vs. Dina Zaplinski.

SUGGESTED ACTION:

Authorize City Attorney to pay sum of \$14,000 in full settlement.

13. DEPARTMENT: LAW

SUBJECT: Interstate Distributor vs. City of Long Beach.

SUGGESTED ACTION:

Authorize City Attorney to pay sum of \$6,976.39 in full settlement.

14. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Awards.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$11,280 in compliance with Appeals Board order for claim of Jana Blair; \$69,742.50 for claim of Cathy Jean Bradford; \$13,042.50 for claim of Sharron Daniels; \$57,502.50 for claim of Rick Delfin; and \$18,317.50 for claim of Veronica Fair.

15. DEPARTMENT: LIBRARY SERVICES

SUBJECT: Wireless hot zone for internet access at Main Library. (District 2)

SUGGESTED ACTION:

Authorize City Manager to execute agreement in an amount not to exceed \$24,750, with SBC DataComm for installation and first year maintenance of equipment;

Authorize City Manager to execute agreement with SBC Communications, Inc., for \$699 per month for internet access for the duration of installation; and

Authorize City Manager or designee to complete an SBC business credit application as a requirement for the project.

16. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Permit with Goodwill Industries of Long Beach and South Bay for the operation of a donation center location on City property north of Will Rogers mini-park between Nieto Avenue and Third Street. (District 3)

SUGGESTED ACTION:

Authorize City Manager to issue permit at a rental rate of \$1 per year, for a term of three years with two consecutive one-year options to extend the term subject to the approval of the City Manager.

17. DEPARTMENT: POLICE AND FIRE

SUBJECT: Agreement between City of Long Beach and Long Beach Community College to provide instructional services for City employees. (Districts 4,5)

SUGGESTED ACTION:

Authorize City Manager to execute agreement and any subsequent amendments with the funds generated to be directed for Police and Fire Department training budgets. The agreement may be terminated with thirty (30) days written notice by either party.

18. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers)

A. Application of Eugene Yoohoo Shin and Mi Ja Shin, dba El Ranchito Supermarket, for an off-sale beer and wine license at 2520 Santa Fe Avenue. (District 7)

B. Application of Andrea Alejandra Acevedo, dba Bar El Tucanazo, for an on-sale beer and wine for public premises license at 6203 Cherry Avenue. (District 9)

SUGGESTED ACTION:

Receive and file with existing conditions.

19. DEPARTMENT: PUBLIC WORKS

SUBJECT: Acceptance of Funding for Safe Routes to Schools Program Grant.
(District 3)

SUGGESTED ACTION:

Authorize City Manager to execute documents necessary to accept and administer the Safe Routes to Schools Program Grant funds; and

Increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$146,520.

20. DEPARTMENT: PUBLIC WORKS

SUBJECT: Third Amendment to Contract No. 26272 with Walter Loo, dba Environment & Technology Services, for environmental assessment and remediation. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment in the amount of \$275,000.

21. ~~DEPARTMENT: PUBLIC WORKS~~

Withdrawn. ~~SUBJECT: Final Subdivision Map for Tract No. 60109 located northerly of Seaside Way between Queen's Way and Chestnut Place. (District 2)~~

~~SUGGESTED ACTION:~~

~~Find that all requirements of the map have been satisfied and approve the final subdivision map for Tract No. 60109.~~

22. DEPARTMENT: PUBLIC WORKS

SUBJECT: Establishment of parking meter rates in the Pike at Rainbow Harbor Area, establishment of parking rate for the Shoreline Park parking lot, and increase rate for the Marina Green parking lot. (District 2)

SUGGESTED ACTION:

Request City Attorney to prepare resolution establishing a parking meter rate of \$.50 for each 15 minutes or less for parking meter zones 19 – 25;

Request City Attorney to prepare resolution establishing the parking rate for Shoreline Park parking lot at \$2.00 per hour; and

Request City Attorney to prepare resolution increasing the parking rate for the Marina Green parking lot from \$1.00 per hour to \$2.00 per hour.

23. DEPARTMENT: PUBLIC WORKS

SUBJECT: Amendment to Section 10.14.020.A of the Long Beach Municipal Code relating to modification of one-way traffic operation on Wehrle Court between Ximeno Avenue and Bennett Avenue. (District 4)

SUGGESTED ACTION:

Request City Attorney to prepare amendment modifying the following subsection:
"71. (East) Wehrle Court, from Bennett Avenue to Ximeno Avenue."

24. DEPARTMENT: PUBLIC WORKS

SUBJECT: Bus stop installation on the southeast corner of Pine Avenue at 10th Street.
(District 1)

SUGGESTED ACTION:

Approve installation of bus stop.

25. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:
Harbor Commission, July 26, 2004

SUGGESTED ACTION:

Receive and file.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

26. COUNCIL OFFICE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT

SUBJECT: Report on City curfew posting.

SUGGESTED ACTION:

Request City Manager to prepare report within 30 days that outlines the City's existing policies on curfew enforcement as well as whether a need exists for more widespread posting of curfew signs and refer to Public Safety Committee for review.

27. COUNCIL OFFICE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT

SUBJECT: Fencing of vacant lots.

SUGGESTED ACTION:

Refer to Housing and Neighborhoods Committee for discussion and report from Department of Planning and Building regarding requiring property owners to enclose vacant properties with a fence.

28. COUNCIL OFFICE: COUNCILMEMBER DAN BAKER, SECOND DISTRICT

SUBJECT: Designation of beaches in Long Beach as smoke-free.

SUGGESTED ACTION:

Refer to Marine Advisory Commission.

RESOLUTION:

29. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution of Intention to Vacate the north-south alley west of Downey Avenue and north of South Street. (District 9)

SUGGESTED ACTION:

Adopt resolution and set date of hearing for Tuesday, September 7, 2004, at 5:00 P.M.

ORDINANCES:

30. DEPARTMENT: LAW

SUBJECT: Ordinance relating to the temporary limitation on removal of any protected oak tree within the City of Long Beach; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

31. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending a portion of Part 28 of said map from R-1-N [Single Family Residential] and I [Institutional] to P [Park] for property located at 325 E. Plymouth Street and 5346 Elm Avenue, in the City of Long Beach. (District 8)

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

NEW BUSINESS:

- 32.
- 33.
- 34.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

Housing Authority at 4:30 P.M.

August 17, 2004, Hearing on application of Gourmet Properties, dba Club 49 for Permit for Entertainment with Dancing by Patrons at a Restaurant with Alcohol at 49 S. Pine Avenue. (District 2)

August 17, 2004, Hearing on application of DL, GL and P, Inc., dba Til Two Club, for Permit for Entertainment without Dancing by Patrons at an Existing Bar/Tavern/Lounge at 475 W. Willow Street. (District 6)

August 24, 2004, Hearing on amendment to the Land Use Element of the General Plan and Alamitos Land Planned Development District (PD-17) relating to the Alamitos Ridge Housing Development. (District 4)

August 24, 2004, Hearing on General Plan Amendment and zone change for new Mark Twain Library. (District 6)

August 24, 2004, Hearing on proposed amendments to the Open Space and Recreation Element to include additional parklands and to repeal limitation of three Land Use Element amendments per calendar year. (Citywide)

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at **www.longbeach.gov**. E-Mail correspondence can be directed to **cityclerk@longbeach.gov**. Agenda items may be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone the City Clerk Department at (562) 570-6101 by 12 noon Monday. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.